

Hong Kong, China Rowing Association
Code of Conduct for Staff, Board Members and Committee/Commission Members

I. Introduction

The Hong Kong, China Rowing Association (abbreviated as “HKCRA” hereunder) is fully committed to the principles of honesty, integrity and fair play in all its businesses and activities. All staff members / officials (i.e. all Board members, Committee/Commission members) should ensure that the businesses of the HKCRA, such as management and reporting of programmes, management of funding, procurement of sports and office equipment and hiring of staff and services, processing of applications and selection of athletes for enrolment in sports activities, are dealt with in an open, fair and impartial manner.

This Code of Conduct sets out the basic standard of conduct expected of all staff members / officials and the HKCRA’s policy on such matters as acceptance of advantages and declaration of conflict of interest. This Code also applies to temporary or part-time staff employed by the HKCRA.

II. Prevention of Bribery Ordinance

Under Section 2 of the Prevention of Bribery Ordinance (Cap. 201), a staff member / official who solicits or accepts an advantage in relation to his/her employer’s business or affairs without the latter’s permission may commit an offence. The term “advantage” is defined in the Ordinance and includes almost anything of value except entertainment, such as money, gift, commission, loan, fee, reward, office, employment, contract, service or favour. (**Appendix I**)

III. Acceptance of Advantages

1. Any gifts offered voluntarily to the staff members / officials in their official capacity are regarded as gifts to the HKCRA and they should not be accepted without permission. Staff members / officials should decline the offer if the acceptance could affect their objectivity in conducting the HKCRA’s business, or induce them to act against the interest of the HKCRA, or lead to complaints of bias or impropriety.

2. For gifts which are presented to staff members /officials in their official capacity and of nominal value (below HK\$200), the refusal of which could be seen as unsociable or impolite (e.g. a plaque presented to a staff member / official during a seminar in which he/she is invited to be the guest speaker), the Board has given a blanket permission for the staff member / official to accept these gifts. In other circumstances, the staff member / official should apply in writing to the appropriate authority stated in the Policy (Accepting Advantages) for permission to accept the gifts. Each application should be carefully considered by the appropriate authority. Proper records of these applications included in the Form “REPORTING ACCEPTANCE OF ADVANTAGES” vide **Appendix II** should be kept in a central manner. Possible ways of disposal of such gifts are listed at **Appendix III**.
3. There is however no restriction on the acceptance of advantages, in the staff member’s / official’s private capacity, from any person who does not have any official dealings with the HKCRA at any time during the employment of that staff member / official by the HKCRA. In case of doubt, the staff member / official should refer the matter to the appropriate authority set out in the Policy (Accepting Advantages) for advice and instruction.
4. Red Packets (“Lai See” consisting of money) offered to staff member / official during the first month of Chinese Lunar New Year in connection with their work or position in the HKCRA is considered as Chinese custom. The Board has therefore given blanket permission for the staff member / official to accept these Red Packets but only with a value of each **HK\$100 or below**. The acceptance of any higher amounts is not permitted and any such higher amounts must be referred to the appropriate authority set out in the Policy (Accepting Advantages). Staff member / official shall on no occasion solicit Red Packets from any persons or Clubs/Organisations affiliated to or in any way connected with the HKCRA or having dealings of any sort with the HKCRA.

IV. Conflict of Interest

1. A conflict of interest situation arises when the “private interests” of the staff members /officials compete or conflict with the interests of the HKCRA. “Private interests” mean both the financial and personal interests of the staff members / officials or those of their connections including: -
 - Family and other relations;
 - Personal friends;
 - Other clubs and societies to which they belong; and
 - Any person to whom they owe a favour or are obligated in any way.

2. Staff members /officials must avoid using their official position or any information made available to them in the course of their duties to benefit themselves, their relations or any other persons with whom they have personal or social ties. They should avoid putting themselves in a position that may lead to an actual or perceived conflict of interest with the HKCRA. Failure to avoid or declare any conflict of interest may give rise to criticism of favouritism, abuse of authority or even allegations of corruption. In particular, staff member / official involved in the procurement process should declare conflict of interest if they are related to or have beneficial interest in any company which is being considered for selection as the HKCRA's supplier of goods or services. **Appendix IV** provides some examples of conflict of interest situations which may be encountered by staff members / officials.
3. When called upon to deal with matters of the HKCRA for which there is an actual or perceived conflict of interest, the staff member / official should make a declaration in writing to his/her supervisor. He/She should then abstain from dealing with the matter in question or follow the instruction of his/her supervisor who may (or may not) reassign the task to other staff/official.

V. Entertainment

As defined in Section 2 of the Prevention of Bribery Ordinance, “entertainment” refers to food or drink provided for immediate consumption on the occasion, and any other entertainment provided at the same time. Although entertainment is an acceptable form of business and social behaviour and is not an “advantage”, staff members / officials should not accept lavish or frequent entertainment from persons with whom the HKCRA has official dealings (e.g. suppliers or contractors), so that they will not be placed in a position of obligation to the offered.

VI. Misuse of Official Position

Staff members / officials who misuse their official position for personal gains or to favour their relatives or friends are liable to disciplinary action or even prosecution if fraudulent acts are involved. Examples of misuse include a staff member / official responsible for the selection of suppliers giving undue favour or leaking tender information to his/her relative's company with a view to awarding the contract to the latter. Other examples include reserving seat entries for their respective Club and friends without permission and without going through the proper application procedures.

VII. Handling of Classified or Proprietary Information

Staff members / officials are not allowed to disclose any classified or proprietary information to anybody without authorisation. Staff members / officials who have access to or are in control of such information should at all times provide adequate safeguards to prevent its abuse or misuse. Examples of misuse include disclosure of information in return for monetary rewards, or use of information for personal interest. It should also be noted that unauthorised disclosure of any personal data may result in a breach of the Personal Data (Privacy) Ordinance (Cap. 486).

VIII. Property of the Association

Staff members / officials given access to any property of the HKCRA should ensure that it is properly used for the purpose of conducting the HKCRA's business. Misappropriation of the HKCRA's property for personal use or resale is strictly prohibited, and may constitute theft.

IX. Gambling

Staff members / officials should not engage in frequent or excessive gambling with persons who have business dealings with the HKCRA as well as among colleagues, particularly with subordinates. If on social occasions where refusal of gambling is considered unsociable, the amount of money involved should not be significant. Gambling in the HKCRA's premises is strictly forbidden.

X. Outside Employment

Staff members who wish to take up paid outside work, including those on part-time or voluntary basis, must seek the written approval of the HKCRA before accepting the job. Applications for outside work should be made to the appropriate authority stated in the Policy (Outside Work) for consideration. Approval will not be given if the outside work is in conflict with the interest of the HKCRA.

XI. Compliance with the Code

1. It is the personal responsibility of every staff member /official to understand and comply with the Code of Conduct.
2. The management will ensure that staff member / official understand and comply with the standards and requirements stated in the Code. Any problems encountered as well as any suggestions should be channeled to OC for consideration and advice.
3. Any staff member /official who violate any provision of the Code will be subject to disciplinary action. In cases of suspected corruption or other criminal offences, a report will be made to the ICAC or the appropriate authorities.

Prevention of Bribery Ordinance

“Advantage” means: -

- (a) Any gift, red packet (Lai See), loan, fee, reward or commission consisting of money or of any valuable security or of other property or interest in property of any description;
- (b) Any office, employment or contract;
- (c) Any payment, release, discharge or liquidation of any loan, obligation or other liability, whether in whole or in part;
- (d) Any other service, or favor (other than entertainment), including protection from any penalty or disability incurred or apprehended or from any action or proceedings of a disciplinary, civil or criminal nature, whether or not already instituted;
- (e) The exercise or forbearance from the exercise of any right or any power or duty; and
- (f) Any offer, undertaking or promise, whether conditional or unconditional, of any advantage within the meaning of any of the preceding paragraphs (a), (b), (c), (d) and (e).

Hong Kong, China Rowing Association 中國香港賽艇協會
Reporting Acceptance of Advantages 接受利益申報表

Part One (To be completed by the Staff/Official) 第一部份 (由職員/委員填寫)

Name 姓名: _____ Position 職位: _____ Board/Committee/Commission 董事局/委員會/事務委會: _____ (Please state 請註明)

Details of the advantage(s) 利益詳情:

Offeror Company 提供利益之公司	Relationship with HKCRA 與本會之關係	Name and Position of Employee in Offeror Company 提供利益之公司代表其姓名及職位	Date of offer 提供利益之日期	Nature of the Advantage(s) 利益性質	Approximate Monetary Value of the Advantage(s)(HK\$) 利益之大約金錢價值 (港幣)	Circumstances Leading to the Offer 提供利益之理由

* I wish to accept the advantage(s) offered (re section 6, items 6-3,6-4,6-6 of the rules on acceptance of advantages by HKCRA Human Resource Manual).
本人希望獲批准接受該利益 (根據中國香港賽艇協會員工手冊僱員接受利益規則第6章第6-3, 6-4,6-6 段)。

* I suggest to dispose the advantage(s) offered in the following manner 本人建議用下列辦法處理該利益：

Signature 簽署: _____ Date 日期: _____

**Part Two (To be completed by the Executive Director. Part Two will be left blank if the immediate supervisor is at Executive Director or above level.)
第二部份 (由行政總監填寫。如直屬上級是行政總監或以上，第二部份無需填寫。)**

* I recommend that approval be given for the Official to accept the advantage(s) offered. 本人建議批准上述委員收取該利益。

* I recommend that the advantage(s) offered be disposed in accordance with the Official's suggested method. 本人建議採納上述委員提議之辦法處理該利益。

* I recommend that the advantage(s) offered be disposed in the following manner. 本人建議用下列辦法處理該利益：

Name 姓名: _____ Position 職位: _____ Signature 簽署: _____ Date 日期: _____

Part Three (To be completed by Director or above) 第三部份 (由總監或以上填寫)

* I approve that the Official be allowed to accept the advantage(s) offered. 本人批准上述委員收取該利益。

* I approve that the advantage(s) offered be disposed in accordance with the Official's suggested method under Part One. 本人批准根據上述委員在第一部份建議之辦法處理該利益。

* I approve that the advantage(s) offered be disposed in accordance with the Staff immediate supervisor's /Official's related authorized person's suggested method under Part Two.
本人批准根據上述職員之直屬上級/委員之批核人士在第二部份建議之辦法處理該利益。

* I approve that the advantage(s) offered be disposed in the following manner. 本人批准用下列辦法處理該利益：

Name 姓名: _____ Position 職位: _____ Signature 簽署: _____ Date 日期: _____

* Please "v" whichever is appropriate. 在適當之空格內加 "v"。

**Ways to dispose of gifts presented to
a staff member / official in his official capacity**

- If the gift is of perishable nature (e.g. food or drink), it may be shared among the office or during an activity organised by the HKCRA.
- If the gift is of historical or other interest, it may be sent to a library or museum.
- If the gift is suitable for display (e.g. a painting, vase, etc), it may be retained for display in the recipient's office or elsewhere in the HKCRA.
- If the gift is of low value (*below \$500*), it may be donated to the HKCRA's social function as a lucky draw prize.
- If the gift is a personal item of low value (*below \$200*), it may be retained by the recipient.
- If the gift is a "Red Packet" consisting of money of low value (HK\$100 or below) and is given during the first month of Lunar New Year, it is considered as a Chinese custom and therefore may be retained by the recipient.

Examples of Conflict of Interest Situations

- An employee takes part in the selection of suppliers or contractors, and one of the bidders under consideration is his relative or close personal friend.
- An employee has a financial interest in a company which is being considered for selection as the HKCRA's supplier of goods or services.
- An employee accepts frequent or lavish entertainment or expensive gifts from the HKCRA's suppliers or contractors.
- An employee hires a relative as coach.
- An employee responsible for selling tickets of a popular sport event reserves tickets for his relatives or personal friends without permission.